

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application. Claims 1-3, 5, and 7-33 are currently pending in this application. Claim 6 has been cancelled. No new matter has been added by way of the present amendment. For instance, claim 1 has been amended to incorporate the limitations of previously presented claim 6, now cancelled. New claim 33 is supported by previously presented claims 1-3 and 5-6. Accordingly, no new matter has been added.

In view of the amendments and remarks herein, Applicants respectfully request that the Examiner withdraw all outstanding rejections and allow the currently pending claims.

Issues Under 35 U.S.C. § 112, 2nd paragraph

Claim 29 stands rejected under 35 U.S.C. 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Applicants respectfully traverse.

Applicants respectfully submit that claim 29 has been amended to correct the issues identified by the Examiner. Accordingly, this rejection is moot.

Reconsideration and withdrawal of this rejection are thus respectfully requested.

Issues Under 35 U.S.C. 102(e)

Claims 1-3, 5, 7-20, 27-28 and 31-32 stand rejected under 35 U.S.C. 102(e) as being anticipated by Hattori et. al. (U.S. 7,141,183) (hereinafter Hattori '183). Applicants respectfully traverse.

Applicants note that claim 1 has been amended to incorporate the limitations of previously presented claim 6, which has not been rejected by the Examiner based on any prior art. Therefore, claim 1, as amended, and all dependent claims thereof cannot possibly be anticipated by Hattori '183 and are thus allowable over the prior art of record.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Double Patenting Issues

Claims 1-3 and 5-32 stand rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-18 of Hattori '183. Applicants respectfully traverse.

Claim 1-18 of Hattori '183 is directed to a **conductive elastomer composition** (emphasis added), comprising:

- a) a compound A1 composed of a thermoplastic resin or elastomer;
- b) a compound A2, composed of a crosslinkable rubber and/or crosslinkable thermoplastic elastomer, dispersed in compound A1; and
- c) an ionic-conductive-agent B containing a metal salt and a polyether-containing block copolymer resin (see, e.g., claim 1).

In stark contrast, the present claims are directed to a **conductive member** (emphasis added) rather than a conductive elastomer composition. For this reason alone, it is clear that the present claims are patentably distinct from the claims of Hattori '183.

Pending independent claim 1 and dependent claims thereof require a conductive layer formed of a conductive polymer composition containing an ionic-conductive addition salt,

wherein the conductive layer comprises (a) a continuous polymer phase; and (b) at least one discontinuous polymer phase. The present claims further require that the polymer composing said first discontinuous polymer phase has a higher degree of affinity for the salt than the polymer composing said continuous polymer phase, and that the first discontinuous polymer phase comprises the salt and the polymer having the higher degree of affinity for said salt. Moreover, the present claims require that the salt is an anion-containing salt having fluoro groups and sulfonyl groups (see, e.g., claim 1). These limitations are not in the claims of Hattori '183. Moreover, contrary to the Examiner's assertion, it would not have been obvious to one skilled in the art to modify the present claims as proposed by the Examiner.

Pending independent claim 19 is directed to a **method of manufacturing a belt** (emphasis added). Claims 1-18 of Hattori '183 are not directed to a method of manufacturing a belt, but rather to a conductive elastomer composition. Thus, it is evident that the present claims are patentably distinct from the claims of Hattori '183. Moreover, claim 19 and independent claims thereof require:

(a) fusing and kneading, by an extruder, a conductive master batch containing a copolymer having a polyether block and 1 to 20 wt% of said an anion-containing salt shown by chemical formula 1, a flame-retardant additive, and a thermoplastic composition containing not less than 50 wt% of a polyester thermoplastic elastomer to form a mixture; and

(b) extruding said mixture from an annular die and molding said mixture into a shape of a seamless belt by using a sizing die.

These limitations are not in the claims of Hattori '183. Moreover, contrary to the Examiner's assertion, it would not have been obvious to one skilled in the art to modify the present claims as proposed by the Examiner.

Clearly, the present claims are patentably distinct from the claims of Hattori '183. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Conclusion


All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and objections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Andrew D. Meikle, Reg. No. 32,868 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

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